IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 18TH OCTOBER 2006 / 26TH ASWINA 1928

Bail Appl..No. 6204 of 2006

CRIME NO.7/2006 OF VIGILANCE AND ANTI CORRUPTION BUREAU, THRISSUR

APPLICANTS/ACCUSED

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1. DR.PHILIP POULOSE,
   S/O.POULOSE, PALACHUVATTUPUTHENPURAYIL,
   P.O.KUNDUKADU.

2. SRI.V.P.JOSEPH,
   S/O.PURAVATH, VELLATHADATHIL HOUSE,
   P.O.KUNDUKAD.

3. SRI.N.A.POULOSE,
   S/O.AUGUSTY, NADUVELIL HOUSE,
   KUNDUKADU.

4. SRI.P.G.JOSEPH, S/O.GEORGE,
   POOKKATTUCHALIL HOUSE, KUNDUKADU.

5. SRI.P.A.JOSEPH, S/O.ANTONY,
   POOKKATTUCHALIL HOUSE, KUNDUKADU.

BY ADV. SRI.P.VIJAYA BHANU
SRI.PRASUN.S

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING THE DEPUTY SUPERINTENDENT
OF POLICE, VIGILANCE AND ANTI-CORRUPTION BUREAU,
THRISSUR.

BY D.G.P. SRI. P.G. THAMPI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/10/2006, ALONG WITH B.A.NO.6333/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.Nos. 6204/2006 & 6333/2006

DATED THIS THE 18TH DAY OF OCTOBER, 2006

O R D E R

The petitioners are before this Court praying for a pre-arrest order, as they apprehend arrest in crime No.7/2006 of Vigilance and Anti Corruption Bureau, Thrissur, for the offence punishable under Sections 13(2) read with Section 13(1)(d) of the P.C.Act. (Prevention of Corruption Act, 1988).

2. It is alleged that the petitioners had collected money from the incumbents, who had been appointed in Nirmala School at Kundukadu, Thrissur, being managed by the petitioners and another. On the complaint, the crime had been registered.

3. Accused Nos. 2 to 6 are the petitioners in B.A.No.6204/2006 and the first accused is the petitioner in B.A.No.6333/2006.

4. The counsel for the petitioners submit that the contributions received are receipted and accounted in the

building fund of the school and the contributions were voluntary. There is no personal gain and the acts of the petitioners do not come within the ambit of Section 13 (1)(d) of the P.C.act, submits the counsel.

5. I heard the arguments advanced by the learned Director General of Prosecution. I had also gone through the facts that are available in the file of the Investigating Officer of Vigilance and Anti Corruption Bureau, Thrissur. On analysing the facts that are placed before me, I direct the petitioners to appear before the Investigating Officer on 30.10.2006 between 10.00 a.m and 10.30 a.m.

6. The Investigating Officer shall interrogate the petitioners and in the event of their arrest, they shall be released on bail, on each one of them executing a bond for Rs.20,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Investigating Officer, arresting them.

7. The petitioners shall report before the investigation Officer, as and when required, for the

purpose of the completion of investigation.

The applications are disposed of as above.

J.M.JAMES
JUDGE

mrcs